



REMARKS

The Office Action dated April 9, 2003, included the following rejections, objections, and comments:

1. New corrected drawings were required because informal drawings were initially submitted.
2. The drawings were rejected to under 37 CFR §1.83(a) because they failed to show a real description of Figure 2 in the specification.
3. The disclosure was rejected to because of the informality of having no period at the end of the last sentence on page 3.
4. Claims 1-3 were rejected under 35 CFR §102(b) as being anticipated by Civardi.
5. Claim 4 was rejected under 35 USC §103(a) as being unpatentable over Civardi.

Applicant would like to express its appreciation to the Examiner for the Interview on August 13, 2003, and the kind respect shown in that Interview.

In response to these rejections, objections, and comments, and in view of the above Amendments, Applicant provides the following Remarks:

1. Formal Drawings

New corrected formal drawings are submitted herewith. A separate letter to the draftsperson is also enclosed as required by MPEP§608.02(r).

2. Objection to the Drawings under 37 CFR §1.83(a)

The paragraph on page 1, line 25, to page 2, line 7, has been amended to make reference to Figure 2. Applicant respectfully submits that the amended specification satisfies the requirements of 37 CFR §1.83 (a). Applicant respectfully submits that this reference does not add new matter because of a prior reference in the brief description of the drawings and a correlation of the reference numbers in the paragraph which correlate with Figure 2.

3. Objection to the Disclosure

The Disclosure was objected to because there was no period in the last sentence on page 3. Applicant has amended the paragraph spanning pages 2 and 3, such that a period is inserted after the last sentence.

4. Rejection of 1-3 under 35 CFR §102(b)

Claims 1-3 were rejected under 35 CFR §102(b) as being anticipated by Civardi. It was noted that Civardi disclosed an artificial sheet leather material. However, applicant respectfully submit that Civardi discloses a textile material with a bottom side nap and bonded, and a flat face with a microporous layer thereon. In contrast, the

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present invention is directed to a fabric substrate having a napped and sheared surface with an adhesive disposed thereon, and a film coating on the adhesive which is on the napped and sheared surface.

Civardi is directed to a synthetic leather material having a textile backing of interlace multi-fiber yarns. The bottom face of the fabric is napped, and in one embodiment is also sheered. The napped fibers of the bottom face are bonded together (Column 1, lines 17-19). A microporous layer is formed on top or the "flat face" of the fabric. (See column 3, lines 29-31, and Figures). This is further indicated by the direction that the latex bonding the nap can be used as the adhesive for bonding the "opposite face" of the fabric to the other layers (see column 4, line 16-19).

Civardi does include a statement "It is also within the scope of the invention to nap both faces of the fabric," However, this statement follows the statement "Before the surface cutting treatment the opposite fate of the fabric is preferably provided with a continuous layer of polymer material as described in Ser. No. 474,406" (emphasis added). It would not be possible to nap a surface after providing the continuous layer of polymer material on that surface. Therefore, Applicants contend that the reference to "cutting both faces" is an alternative to napping one side and placing the layer of polymer material on the other side. This view is supported by a review of the full sentence:

It is also within the broader scope of the invention to nap both faces of the fabric, give both naps a bonding treatment, and subject one of the nap faces to the cutting treatment; the other nap face may then be given a similar cutting treatment if desired.

There is no reference in this sentence to bond a continuous layer to a napped surface, and it would not be possible to bond the continuous layer to a surface before napping as required by the prior sentence. This sentence appears to disclose a suede type synthetic leather, not a synthetic layer using a film coating adhered to a fabric substrate. Also, as understood, none of the Examples cited disclose the bonding of continuous layer with an adhesive onto a napped surface, let alone a napped and sheared surface. Applicant has attempted to locate the Serial Number referenced in Civardi to further clarify this point, but the application was abandoned and cannot be located.

For these reasons, Applicant respectfully submits that the claimed invention is not anticipated by Civardi, and that there is no motive, teaching, or suggestion in Civardi to form the claimed invention.

5. Rejection of 4 under 35 CFR §103(a)

Claim 4 was rejected under 35 CFR §103(a) as being unpatentable over Civardi. It was noted that Civardi disclosed an artificial sheet leather material. However, Applicant respectfully submits that Civardi discloses a textile material with a bottom side nap and bonded, and a flat face with a microporous layer thereon. As shown above, Applicant respectfully submits that there is no teaching, suggestion, or motive in Ciravri to adhere a film coating to a napped and sheared textile surface with an adhesive. Because there is no teaching in Civardi to nap and shear the side of the textile in which

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the film coating is adhered, there is no motivation to also dispose the warp side of a satin weave on the same side of the film coating. Therefore, Applicant respectfully submits that the invention in Claim 4 is not obvious over Civardi.

Applicant having addressed all of the rejections, objections, and comments in the latest Office Action, respectfully requests reconsideration and allowance of the pending claims in view of the above Amendments and Remarks. Applicant respectfully submits that the amendments submitted herewith do not add new matter to the application. In the event that the Examiner believes that the claims would be allowable with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment.